

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "INTERDIGITATED CAPACITOR AND METHOD OF MANUFACTURING THEREOF," the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose to all information known to me which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NUMBER	COUNTRY	DATE FILED	PRIORITY CLAIMED
	None		

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>US/PCT Serial Num</u>	<u>Date Filed</u>	<u>Status</u>
None		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:


Lester H. Birnbaum	(Reg. No. 25,830)
Richard J. Botos	(Reg. No. 32,016)
Gerard A. deBlasi	(Reg. No. 34,149)
Anthony Grillo	(Reg. No. 36,535)
Mark A. Kurisko	(Reg. No. 38,944)
Robert P. Marley	(Reg. No. 32,914)
Scott W. McLellan	(Reg. No. 30,776)
Geraldine Monteleone	(Reg. No. 40,097)
Scott J. Rittman	(Reg. No. 39,010)
Ferdinand M. Romano	(Reg. No. 32,752)
David L. Smith	(Reg. No. 30,592)
John P. Veschi	(Reg. No. 39,058)

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

Full name of first inventor:

Christopher D.W. Jones

Inventor's signature:



Date:

July 30 2001

Residence:

City of New Providence
County of Union
State of New Jersey

Citizenship:

Canada

Post Office Address:

36 Gales Drive
Apartment #4
New Providence, New Jersey 07974

Full name of second inventor:

Donald W. Murphy

Inventor's signature:

Donald W. Murphy

Date:

8/7/01

Residence:

City of Davis
County of Yolo
State of California

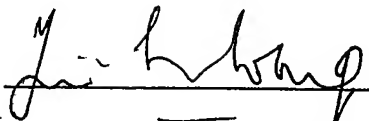
Citizenship:

United States of America

Post Office Address:

2135 Rockwell Drive
Davis, California 95616

Full name of third inventor: Yiu-Huen Wong

Inventor's signature:  Date: 7/30/01

Residence: City of Summit
County of Union
State of New Jersey

Citizenship: United States of America

Post Office Address: 160 Woodland Avenue
Summit, New Jersey 07901

ATTACHMENT A

Attorney Name(s):

David H. Hitt	Registration No. 33,182
Charles W. Gaines	Registration No. 36,804
Glenn W. Boisbrun	Registration No. 39,615
Robert R. Axenfeld	Registration No. 37,276
Mark E. Kelley	Registration No. 45,857
Greg H. Parker	Registration No. 44,995
Jimmy L. Heisz	Registration No. 38,914

Telephone calls should be made to Charles W. Gaines of HITT GAINES & BOISBRUN, P.C. at:

Phone No.: (972) 480-8800
Fax No.: (972) 480-8865

All written communications are to be addressed to:

Charles W. Gaines
HITT GAINES & BOISBRUN, P.C.
P.O. Box 832570
Richardson, Texas 75083

Atty. Docket No.: JONES 2-21-60

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/929,188Filed/Issue Date: August 14, 2001Entitled: INTERDIGITATED CAPACITOR AND METHOD OF MANUFACTURING THEREOFAgere Systems Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

Address: 555 Union Boulevard, Allentown, PA 18109

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventor(s) To: Agere Systems Guardian Corp.
The document was recorded in the United States Patent and Trademark Office at Reel 012105, Frame 0001, or for which a copy thereof is attached.

2. From: Agere Systems Guardian Corp. To: Agere Systems Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

9/25/02
Date

Charles W. Gaines

Typed or printed name

Signature

Attorney of Record

Title

DOCKET



NOV 01 2001
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 29, 2001

PTAS

HITT GAINES & BOISBRUM, P.C.
CHARLES W. GAINES
P.O. BOX 832570
RICHARDSON, TX 75083



101827711A

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/14/2001

REEL/FRAME: 012105/0001
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

JONES, CHRISTOPHER D.W.

DOC DATE: 07/30/2001

ASSIGNOR:

MURPHY, DONALD W.

DOC DATE: 08/07/2001

ASSIGNOR:

WONG, YIU-HUEN

DOC DATE: 08/07/2001

ASSIGNEE:

AGERE SYSTEMS GUARDIAN
CORPORATION, A CORPORATION OF
DELAWARE
9333 S. JOHN YOUNG PARKWAY; ROOM
301E1211
ORLANDO, FLORIDA 32819

SERIAL NUMBER: 09929188

PATENT NUMBER:

FILING DATE: 08/14/2001

ISSUE DATE:

012105/0001 PAGE 2

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

08-29-2001

8-14-01



101827711

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

JONES 2-21-60

J1036 U.S. PTO
09/929188

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)
Document ID#
- ☐ Correction of PTO Error
Reel # Frame #
- ☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other
- U.S. Government**
(For Use ONLY by U.S. Government Agencies)
- ☐ Departmental File ☐ Secret File

Conveying Party(ies)

☒ Mark if additional names of conveying parties attached

Name (line 1) Christopher D.W. Jones Execution Date Month Day Year 07 30 2001

Name (line 2) Execution Date Month Day Year

Second Party

Name (line 1) Donald W. Murphy Execution Date Month Day Year 08 07 2001

Name (line 2) Execution Date Month Day Year

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) Agere Systems Guardian Corporation

Name (line 2) a Corporation of Delaware

Address (line 1) 9333 S. John Young Parkway; Room 301E1211

Address (line 2)

Address (line 3) Orlando Florida 32819

City State/Country Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

08/28/2001 TDI A21 00000067 501735 09929188
01 FC:581 40.00 CH

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number (972) 480-8800

Name Charles W. Gaines

Address (line 1) Hitt Gaines & Boisbrun, P.C.

Address (line 2) P.O. Box 832570

Address (line 3) Richardson, Texas 75083

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

7

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

N/A

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year
07 30 2001

Patent Cooperation Treaty (PCT)

Enter PCT application number

only if a U.S. Application Number has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:
Deposit Account

Enclosed ☐

Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

501735

Authorization to charge additional fees:

Yes ☒ No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Charles W. Gaines

Name of Person Signing



Signature

08/14/2001

Date

RECORDATION FORM COVER SHEET
CONTINUATION
PATENTS ONLY

Page 3

U.S. Department of Commerce
Patent and Trademark Office
PATENT

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) Yiu-Huen Wong

Execution Date
Month Day Year

07 30 2001

Name (line 2)

Execution Date
Month Day Year

Name (line 1)

Name (line 2)

Execution Date
Month Day Year

Name (line 1)

Name (line 2)

Receiving Party(ies)

☐ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3) City State/Country Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3) City State/Country Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

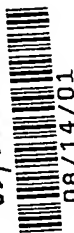
Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

PTO 1619C

09/29/98



08/14/01

ASSIGNMENT

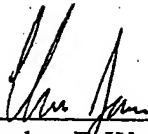
For value received, we, Christopher D.W. Jones, a citizen of Canada and resident of New Providence in the County of Union and the State of New Jersey, and Donald W. Murphy, of Davis in the County of Yolo and the State of California, and Yiu-Huen Wong, of Summit in the County of Union and the State of New Jersey, hereby sell, assign and transfer to Agere Systems Guardian Corporation, a corporation of the State of Delaware, having an office at 9333 S. John Young Parkway; Room 301E1211, Orlando, Florida 32819, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to "INTERDIGITATED CAPACITOR AND METHOD OF MANUFACTURING THEREOF" described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Agere Systems Guardian Corporation the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Agere Systems Guardian Corporation to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Agere Systems Guardian Corporation to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Agere Systems Guardian Corporation in the United States and in all countries foreign to the United States, or to such nominees as Agere Systems Guardian Corporation may designate.

We agree that, when requested, we shall, without charge to Agere Systems Guardian Corporation but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

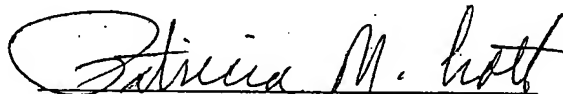


Christopher D.W. Jones

STATE OF New Jersey
COUNTY OF Union

§
§
§

On this 30th day of July, 2001, before me personally came Christopher D.W. Jones, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.



Patricia M. Lott

Notary Public

My Commission Expires:

PATRICIA M. LOTT
NOTARY PUBLIC OF NEW JERSEY
Registered In Somerset County
My Commission Expires March 24, 2003

Donald W. Murphy
Donald W. Murphy

STATE OF CALIFORNIA

COUNTY OF YOLO

§
§
§

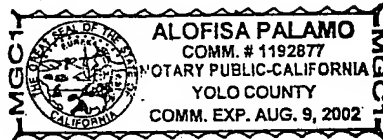
On this 7th day of AUGUST, 2001, before me personally came Donald W. Murphy, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

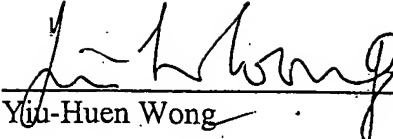
Alofisa Palamo

Notary Public

My Commission Expires:

AUG. 09, 2002

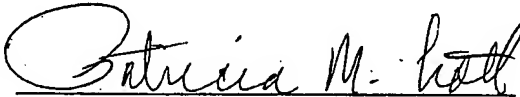



Yiu-Huen Wong

STATE OF New Jersey
COUNTY OF Union

§
§
§

On this 30th day of July, 2001, before me personally came Yiu-Huen Wong, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.


Notary Public

My Commission Expires:

PATRICIA M. LOTT
NOTARY PUBLIC OF NEW JERSEY
Registered In Somerset County
My Commission Expires March 24, 2003

Agere Systems Guardian Corporation
9333 S. John Young Parkway; Room 301E1211
Orlando, Florida 32819

CERTIFICATE OF OWNERSHIP AND MERGER

OF

Agere Systems Guardian Corp.
(a Delaware corporation)

INTO

Agere Systems Inc.
(a Delaware corporation)

**UNDER SECTION 253 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), **DOES HEREBY CERTIFY:**

FIRST: The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

SECOND: On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

RESOLVED that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

THIRD: That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

AGERE SYSTEMS INC.

By Paul Bento
Paul Bento, Vice President

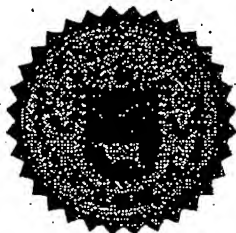
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02